

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22031 of 2018

Arising Out of PS.Case No. -620 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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Saraswati Devi @ Sarwati Devi, Wife of Bharat Prasad, resident of
Village Block Colony Bairam Sarai/ Baram Sarai P.S. Ghosi District-
Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Jehanabad P.S. Case No.620 of 2017 registered for the offences
under Sections 420 and 406 of the Indian Penal Code and Section
138 of N.I. Act.

It is alleged that the petitioner and her husband came at
the agency of the informant and demanded Rs.5 lacs for running
their school. The informant having good relation with them gave
the said amount. After one year when the demand was made by
the informant, the husband of the petitioner gave a cheque of
Rs.5 lacs, which was presented before the Bank where it
bounced. It has been submitted that the allegation of cheating and



committing breach of trust is omnibus against the petitioner. The cheque was issued by the husband of the petitioner and so no offence under Sections 420, 406 of the I.P.C. and Section 138 of N.I. Act is made out. The petitioner has clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail is allowed and the above named petitioner, in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the likewise amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No.620 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Kumar, J)

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